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In re Application of :  
KOVANEN, Ilkka :  
Application No.: 09/869,749 :  
PCT Application No.: PCT/FI00/00010 :  
International Filing Date: 07 January 2000 :  
Priority Date: 08 January 1999 :  
Attorney Docket No.: 540-012.2 :  
For: A METHOD AND AN APPARATUS FOR :  
FEEDING IMAGE PLATES USED FOR :  
INTRAORAL DENTAL X-RAY :  
PHOTOGRAPHY INTO A READING :  
DEVICE :

DECISION ON  
PETITION  
UNDER 37 CFR 1.137(b)

Applicant's "Petition for Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed in the United States Patent and Trademark Office on 08 August 2001 is **GRANTED**.

**BACKGROUND**

On 04 September 1998, applicant filed an international application, No. PCT/FI00/00010. A copy of the application was communicated to the United States Patent and Trademark Office from the International Bureau on 13 July 2000.

Applicant elected the United States in a demand filed on 08 August 2000. The thirty month time period for entering the national stage expired at midnight on 09 July 2001 (08 July 2001 was a Sunday).

On 03 July 2001, applicant filed a transmittal letter for entry into the national stage in the United States, but did not pay the requisite national fee as required by 35 U.S.C. §371(c)(1).

On 02 August 2001, the Office mailed a notification of abandonment for failure to pay the U.S. Basic National Fee by thirty months from the priority date.

On 08 August 2001, applicant filed the instant Petition For Revival of an Application For

Patent Abandoned Unintentionally Under 37 CFR 1.137(b), which was accompanied by, *inter alia*, the requisite petition fee and requisite basic national fee.

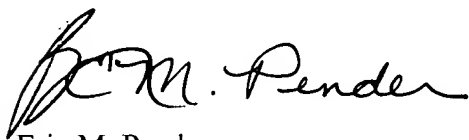
### DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicant states "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," as required by 37 CFR 1.137(b)(3). The appropriate national fee and petition fee have been submitted. A terminal disclaimer is not required as application was filed on 07 January 2000. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.

### CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing, including issuance of the Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that the oath or declaration and the surcharge for filing the oath or declaration after the thirty month period are required.



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